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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

Case No: 3:13-cv-04280 YGR

Indiezone, Inc., a Delaware corporation, and  
EoBuy, Limited an Irish private limited  
company,

Plaintiffs,

vs.

Todd Rooke, Joe Rogness, Phil Hazel, Sam  
Ashkar, Holly Oliver and U.S. Bank,  
collectively the ***RICO Defendants***;

Jingit LLC, Jingit Holdings, LLC, Jingit  
Financial Services LLC., Music.Me, LLC.,  
Tony Abena, John E. Fleming, Dan Frawley,  
Dave Moorehouse II, Chris Ohlsen, Justin  
James, Shannon Davis, Chris Karls in their  
capacities as officers, agents and/or employees  
of Jingit LLC, ***Defendants in Negligence, and  
Aiding/Abetting***;

Wal-Mart, General Electric, Target, DOE(s)  
and ROE(s) 1 through 10, ***Defendants in  
Negligence Secondary-Vicarious  
Infringement***,

Defendants.

**DECLARATION OF DOUGLAS R. DOLLINGER  
IN SUPPORT OF THE MOTION TO AMEND  
THE SUMMONS AND COMPLAINT AND IN THE  
THE ALTERNATIVE FOR PERMISSIVE JOINDER  
OF PARTIES FED. R. CIV. P. 15(a) & 20(a).**

1 corporate entity eoBuy Ltd., which existed during the initial assignment stages and formation  
2 of the eoBuy IP had been administratively dissolved in or about 2008. [DE 29-35.]

3 Based on conversations with Conor Fennelly CEO of eoBuy and Indiezone on or about  
4 November 15th 2007, the Board of Directors of eoBuy Ltd., for reasons of revising the  
5 shareholder structure and settlement of claims, a vote was taken allowing the company to  
6 administratively dissolve on April 1, 2008. [DE 54-1.]

7 Prior to the foregoing, eobuy's IP and licenses were assigned to EoBuy's holding  
8 corporation Amdex, Pte. Several months later the IP and licenses were transferred back into the  
9 newly formed company eoBuy Ventures Limited a company formed under the laws of Ireland.  
10 eoBuy Ventures limited has been doing business as eoBuy since August 2008 and has remained  
11 the eoBuy IP repository since that date. CEO Fennelly did not understand the implications of  
12 simply using the name eoBuy and when he provided the name of the entities as Plaintiff did not  
13 advise this office of the actual name of the entity as the intended Plaintiff, eoBuy Ventures  
14 Limited. [DE 54-1.]

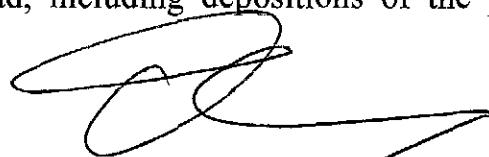
15 Apparently, these facts are not new, nor were they unknown to the Defendants Rooke and  
16 Rogness. It was during this period they were negotiating equity positions for themselves. In  
17 response to the requests of Rooke and Rogness concerning the desire to obtain eoBuy equity each  
18 were advised specifically that the shareholders of eoBuy were limited and that none could be  
19 issued to them. [DE 54-1.]

20 Plaintiff is now seeking leave to amend the summons and complaint for the reasons set  
21 forth above. [DE 54-1.]

22 The facts in this case arise out of the same transaction, occurrence, or series of  
23 transactions or occurrences and represent a criminal enterprise among the **RICO Person**  
24 **Defendants** as an association in fact involving the foregoing **RICO Enterprise**  
25 **Entities/Members**.

26 Defendants have served and filed their Motions to Compel, Dismiss and otherwise  
27 Stay these proceeding but have not yet filed a responsive pleading from which any  
28 prejudice could be claimed. [DE 29-35.] Under the circumstance, and especially for the

1 reason that no discovery has been had, including depositions of the parties, Plaintiffs'  
2 Motion should be granted.



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